

John C. Gorecki, Esq.

Patent Attorney
180 Hemlock Hill Road
Carlisle, MA 01741
Tel: (978) 371-3218
Fax: (978) 371-3219
john@gorecki.us

RECEIVED
CENTRAL FAX CENTER

APR 05 2005

To: U.S. Patent and Trademark Office
Art Unit 2663
Attn: Examiner R. Ngo
Fax. No.: 703-872-9306
From: John C. Gorecki
Date: April 5, 2005

Number of pages including this cover sheet: 9

Re:
Applicant: Merrill, et al. Examiner: R. Ngo
Serial No.: 10/812,581 Art Unit: 2663
Filed: March 30, 2004 Attorney Docket No.: 16628SSUS02U
Title: METHOD AND APPARATUS FOR CONTRACTING FOR DEDICATED
OPTICAL NETWORK RESOURCES ON DEMAND

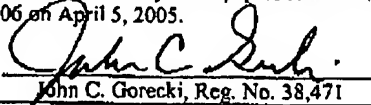
The Document(s) accompanying this Facsimile Transmission contains information that is confidential and/or legally privileged. This information is intended only for the use of the individual or entity named on the Transmission Sheet. If you are not an intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this faxed information is strictly prohibited and the Document(s) should be returned to John C. Gorecki, Esq., immediately. If you have received the facsimile in error, please notify us by telephone immediately, so that we can arrange for the return of the original Document(s) at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Merrill, et al. Examiner: R. Ngo
 Serial No.: 10/812,581 Art Unit: 2663
 Filed: March 30, 2004 Attorney Docket No.: 16628SSUS02U
 Title: METHOD AND APPARATUS FOR CONTRACTING FOR DEDICATED
 OPTICAL NETWORK RESOURCES ON DEMAND

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being Transmitted via Facsimile to (703) 872-9306 on April 5, 2005.


 John C. Gorecki, Reg. No. 38,471

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

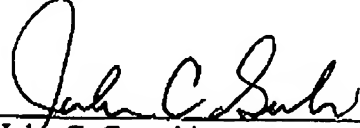
TRANSMITTAL LETTER

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated and is transmitted as shown below:

	Number of Claims Remaining After Amendment	Highest Number of Claims previously paid for	Number of Extra Claims Present	Rate	Additional Fee
Total Claims	12	20	0	x \$50.00	\$0
Independent Claims	2	3	0	x \$200.00	\$0
Multiple Dependent Claims (check if applicable)					\$0
TOTAL ADDITIONAL FEES FOR THIS AMENDMENT					\$0.00

No fees are believed due in connection with this filing. If any additional fees are due, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref. NN-16442). A duplicate copy of this sheet is enclosed.

Respectfully Submitted

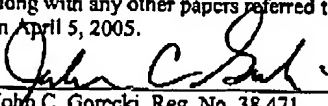

 John C. Gorecki
 Registration No. 38,471

Dated: April 5, 2005

John C. Gorecki, Esq.
 Patent Attorney
 180 Hemlock Hill Road
 Carlisle, MA 01741
 Tel: (978) 371-3218
 Fax: (978) 371-3219

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Merrill, et al. Examiner: R. Ngo
 Serial No.: 10/812,581 Art Unit: 2663
 Filed: March 30, 2004 Attorney Docket No.: 16628SSUS02U
 Title: METHOD AND APPARATUS FOR CONTRACTING FOR DEDICATED
 OPTICAL NETWORK RESOURCES ON DEMAND

<p align="center">CERTIFICATE OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being Transmitted via Facsimile to (703) 872-9306 on April 5, 2005.</p> <p align="center"> John C. Gorecki, Reg. No. 38,471</p>	
---	--

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated and is transmitted as shown below:

	Number of Claims Remaining After Amendment	Highest Number of Claims previously paid for	Number of Extra Claims Present	Rate	Additional Fee
Total Claims	12	20	0	x \$50.00	\$0
Independent Claims	2	3	0	x \$200.00	\$0
Multiple Dependent Claims (check if applicable)					\$0
TOTAL ADDITIONAL FEES FOR THIS AMENDMENT					\$0.00

No fees are believed due in connection with this filing. If any additional fees are due, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref. NN-16442). A duplicate copy of this sheet is enclosed.

Respectfully Submitted

Dated: April 5, 2005

John C. Gorecki, Esq.
 Patent Attorney
 180 Hemlock Hill Road
 Carlisle, MA 01741
 Tel: (978) 371-3218
 Fax: (978) 371-3219

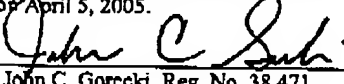

 John C. Gorecki
 Registration No. 38,471

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

Applicant: Merrill, et al. Examiner: R. Ngo
Serial No.: 10/812,581 Art Unit: 2663
Filed: March 30, 2004 Attorney Docket No.: 16628SSUS02U
Title: METHOD AND APPARATUS FOR CONTRACTING FOR DEDICATED
OPTICAL NETWORK RESOURCES ON DEMAND

APR 05 2005

<p style="text-align: center;">CERTIFICATE OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being Transmitted via Facsimile to (703) 872-9306 on April 5, 2005.</p> <p style="text-align: center;"> John C. Gorecki, Reg. No. 38,471</p>

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination, please amend this application as follows:

AMENDMENTS TO THE SPECIFICATION begin on page 2 of this paper.**AMENDMENTS TO THE CLAIMS** are reflected in the listing of the claims, which begin on page 3 of this paper.**REMARKS/ARGUMENTS** begin on page 6 of this paper.